

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

HENRY LANDSMAN,

Plaintiff(s),

vs.

MEDICAL BOARD OF CALIFORNIA,

Defendant(s).

Case No. 2:15-cv-01470-JCM-NJK

ORDER

(Docket No. 27)

Pending before the Court is the Defendant's motion to stay discovery. Docket No. 27. Plaintiff filed a response in opposition, and Defendant filed a reply. Docket Nos. 28, 29. The Court finds the matter properly resolved without oral argument. *See* Local Rule 78-2. For the reasons discussed below, the motion to stay is hereby **GRANTED**.

The Court has broad discretionary power to control discovery. *See, e.g., Little v. City of Seattle*, 863 F.2d 681, 685 (9th Cir. 1988). "The Federal Rules of Civil Procedure do not provide for automatic or blanket stays of discovery when a potentially dispositive motion is pending." *Tradebay, LLC v. eBay, Inc.*, 278 F.R.D. 597, 601 (D. Nev. 2011). The party seeking a stay carries the heavy burden of making a strong showing why discovery should be denied. *See, e.g., Turner Broadcasting Sys., Inc. v. Tracinda Corp.*, 175 F.R.D. 554, 556 (D. Nev. 1997). The case law in this District makes clear that requests to stay all discovery may be granted when: (1) the pending motion is potentially dispositive; (2) the potentially dispositive motion can be decided without additional discovery; and (3) the Court has taken a "preliminary peek" at the merits of the potentially dispositive motion and finds it sufficiently

1 meritorious to warrant a stay. *See Kor Media Group, LLC v. Green*, 294 F.R.D. 579, 581 (D. Nev.  
2 2013); *see also Hologram USA, Inc. v. Pulse Evolution Corp.*, 2015 WL 1600768, \*1 (D. Nev. Apr. 8,  
3 2015) (addressing stays during the pendency of a motion challenging personal jurisdiction).

4 Having reviewed these standards and the briefing on the motion to dismiss, the Court **GRANTS**  
5 the motion to stay discovery. In the event that the motion to dismiss is not granted in its entirety, the  
6 parties shall file a joint proposed discovery plan within 14 days of the issuance of the order resolving  
7 the motion to dismiss.

8 IT IS SO ORDERED.

9 DATED: December 11, 2015

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NANCY J. KOPPE  
United States Magistrate Judge  
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